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2008/009

MAY 31 2007

60,246-258; 10781

REMARKS

Applicant has amended this application in response to the office action.

In particular, the claims have been amended to address the various objections and rejections the examiner has made under 35 U.S.C. §112. In addition, formal drawings are now submitted.

The claims have all been amended to make clear what is meant by the heat pump being "on" and "off." When a heat pump is "off," refrigerant is not flowing through the heat exchangers. The Kuroki, et al. patent may well reverse water through its heat exchanger in a defrost application, however, it does so while refrigerant is also flowing through that heat exchanger. See the discussion of the second and third embodiments across column 5. Thus, the Kuroki, et al. heat pump is not in an "off" state when the reverse flow of water is occurring. Applicant's invention is intended to prevent freezing when the heat pump is "off." Kuroki, et al. does not address nor recognize this concern.

For the reasons set forth above, all claims are allowable. An indication of such is solicited. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,



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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on May 31, 2007.



Laura Combs